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10/815,658	04/02/2004	Shinichiro Iwata	K2635.0078	8203

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EXAMINER

NGUYEN, CHAU T

ART UNIT	PAPER NUMBER
2176	

DATE MAILED: 07/26/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



## **DETAILED ACTION**

1. Claims 16 are presented for examination.

### ***Information Disclosure Statement***

2. The information disclosure statement filed 04/02/2004 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each cited foreign patent document; each non-patent literature publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. It has been placed in the application file, but the information referred to therein has not been considered.

### ***Double Patenting***

3. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29

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USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

4. Claims 1-6 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-6 of U.S. Patent No. 6,839,877 (Iwata). Although the conflicting claims are not identical, they are not patentably distinct from each other because claims 1-6 of the instant application is anticipated by patent claims 1-6 in that claims 1-6 of the patent contains all the limitations of claim 1 of the instant application. Therefore, claims 1-6 of the instant application is not patently distinct from the earlier patent claim and as such is unpatentable for obvious-type double patenting.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matsumoto, JP Patent No. JP 11328181 A, Hayashi, JP Patent No. JP 10222501 A further in view of Moughanni et al. (Moughanni), US Patent No. 5,675,817.

7. As to <sup>in</sup>dependent claim 1, Matsumoto discloses a method of displaying an electronic message, comprising: receiving an electronic message including a sentence as a conversion object sentence in a reception mode (Matsumoto, pages 1-2: a sentence is inputted for translation; automatically converts each of character string to produce a mixed sentence; and displaying said mixed sentence (KANA/KANJI conversion is performed and the inputted sentence is turned to a KANJI/KANA mixed sentence, and the mixed sentence is displayed). However, Matsumoto does not disclose the mixed sentence is pictograph mixed sentence and the pictograph corresponding to said character string is defined. Hayashi discloses an animation database stores the data of animation image about a character, retrieving a character that is inputted with a conversion operation, then converting it into a corresponding

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candidate character into an animation image (pictograph mixed sentence) (Hayashi, page 1). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Hayashi and Matsumoto to include pictograph mixed sentence and the pictograph corresponding to said character string is defined since Hayashi provides a character converter which does not only simply perform character conversion but also has various conversion functions.

However, Matsumoto and Hayashi do not explicitly disclose the electronic message is an electronic mail. Moughanni discloses a user of a pager receiving an electronic message (electronic mail) in a language of their own and the message (mail) is translated to a default language of the user (Abstract). Since Moughanni discloses translating or converting a language to a different one, which is similar to language conversions of Matsumoto and Hayashi, thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Moughanni and Matsumoto and Hayashi to include an electronic mail as an input sentence in one language and converting it to another language of the default of the user device thus it provides a user-friendly environment for foreign people.

8. As to dependent 2, Matsumoto, Hayashi, and Moughanni disclose specifying one of said pictographs of the displayed pictograph mixed sentence; determining a specific character string corresponding to said specific pictograph; and displaying said specific character string (Hayashi, page 1: Hayashi discloses an animation database stores the data of animation image about a character, retrieving a character that is inputted with a

conversion operation, then converting it into a corresponding candidate character into an animation image (pictograph mixed sentence) (Hayashi, page 1). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Hayashi and Matsumoto to include pictograph mixed sentence and the pictograph corresponding to said character string is defined since Hayashi provides a character converter which does not only simply perform character conversion but also has various conversion functions).

9. As to dependent claim 3, Matsumoto, Hayashi, and Moughanni disclose wherein said displaying includes: displaying said pictograph mixed sentence and said specific character string at a same time (Matsumoto, pages 1-2: Kanji/Kana mixed sentence is displayed; Hayashi discloses in page 1: retrieving a character that is inputted with a conversion operation, then converting it into a corresponding candidate character into an animation image (pictograph mixed sentence), and the motivation for combine Hayashi and Matsumoto is that Hayashi provides a character converter which does not only simply perform character conversion but also has various conversion functions).

10. As to dependent claim 4, Matsumoto, Hayashi, and Moughanni disclose inputting a sentence in a transmission mode; converting a specified one of character strings of said inputted sentence a specific pictograph corresponding to said specified character string, to produce a pictograph mixed inputted sentence; and displaying said pictograph mixed inputted sentence (Matsumoto, pages 1-2: a sentence is inputted for translation;

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automatically converts each of character string to produce a mixed sentence; and displaying said mixed sentence (KANA/KANJI conversion is performed and the inputted sentence is turned to a KANJI/KANA mixed sentence, and the mixed sentence is displayed). However, Matsumoto does not disclose the mixed sentence is pictograph mixed sentence and the pictograph corresponding to said character string is defined. Hayashi discloses an animation database stores the data of animation image about a character, retrieving a character that is inputted with a conversion operation, then converting it into a corresponding candidate character into an animation image (pictograph mixed sentence) (Hayashi, page 1). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Hayashi and Matsumoto to include pictograph mixed sentence and the pictograph corresponding to said character string is defined since Hayashi provides a character converter which does not only simply perform character conversion but also has various conversion functions).

11. As to dependent claim 5, Matsumoto, Hayashi, and Moughanni disclose transmitting said pictograph mixed inputted sentence in said transmission mode (Matsumoto, pages 1-2; Hayashi discloses in page 1: retrieving a character that is inputted with a conversion operation, then converting it into a corresponding candidate character into an animation image (pictograph mixed sentence), and the motivation for combine Hayashi and Matsumoto is that Hayashi provides a character converter which



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does not only simply perform character conversion but also has various conversion functions).

12. As to dependent claim 6, Matsumoto, Hayashi, and Moughanni disclose wherein said inputted sentence is a Kana sentence, said method further comprises: converting each of specified ones of Kana character strings of said inputted sentence into Kanji characters in said transmission mode (Matsumoto, page 1).

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***Conclusion***


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chau Nguyen whose telephone number is (571) 272-4092. The Examiner can normally be reached on Monday-Friday from 8:30 am to 5:30 pm.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Heather Herndon, can be reached at (571) 272-4136.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. On July 15, 2005, the Central Facsimile (FAX) Number will change from 703-872-9306 to 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Chau Nguyen  
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Art Unit 2176

  
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**PRIMARY EXAMINER**